



# House of Representatives

General Assembly

**File No. 163**

*January Session, 2009*

House Bill No. 6513

*House of Representatives, March 24, 2009*

The Committee on Energy and Technology reported through REP. NARDELLO of the 89th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING SPOOFING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1      Section 1. (NEW) (*Effective October 1, 2009*) (a) As used in this  
2      section, "telephone" means any device used by a person for voice  
3      communications in connection with the services of a telephone  
4      company, whether such voice communications are transmitted in  
5      analog, data or any other form, and "telephone company" means any  
6      company that provides commercial telephone services, irrespective of  
7      the communications technology used to provide such service,  
8      including, but not limited to, traditional wireline or cable telephone  
9      service, cellular, broadband PCS or other wireless telephone service,  
10     microwave, satellite or other terrestrial telephone service and voice  
11     over Internet telephone service.

12     (b) No person shall use any device to change the name or telephone  
13     number on a caller identification display on the telephone that such  
14     person is calling, except when such person subscribes to a call blocking  
15     service provided by such person's telephone company.

16 (c) A violation of the provisions of this section shall be deemed an  
17 unfair or deceptive trade practice under subsection (a) of section 42-  
18 110b of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2009</i>	New section
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**ET**            *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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### ***OFA Fiscal Note***

#### ***State Impact:***

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 10 \$</b>	<b>FY 11 \$</b>
Consumer Protection, Dept.	GF - Revenue Gain	Potential	Potential

Note: GF=General Fund

***Municipal Impact:*** None

#### ***Explanation***

The bill results in a potential revenue gain due to potential violations of the Connecticut Unfair Trade Practices Act (CUTPA). It is anticipated that the Department of Consumer Protection can accommodate the number of complaints concerning “spoofing” within existing resources.

#### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****HB 6513*****AN ACT CONCERNING SPOOFING.*****SUMMARY:**

This bill bars anyone from using any device to change the name or telephone number on a caller identification display on the telephone that such person is calling, except when he or she subscribes to a call blocking service provided by his or her telephone company. A telephone is any device used for voice communications in connection with the services of a telephone company, whether the communications are transmitted in analog, data, or any other form. A telephone company is any company that provides commercial telephone services, regardless of the communications technology used to provide the service, including traditional wireline or cable telephone service, cellular, broadband PCS or other wireless telephone service, microwave, satellite, other terrestrial telephone service, and voice over Internet telephone service. The bill makes a violation an unfair trade practice.

EFFECTIVE DATE: October 1, 2009

**BACKGROUND*****Unfair Trade Practice***

The Connecticut Unfair Trade Practice Act (CUTPA) prohibits businesses from engaging in unfair and deceptive acts or practices. It allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. CUTPA also allows individuals to sue.

Courts may issue restraining orders, award actual and punitive damages, costs, and reasonable attorneys fees; and impose civil penalties of up to \$5,000 for each willful violation and \$25,000 for violation of a restraining order.

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable

Yea 21 Nay 0 (03/10/2009)